

**REPORT OF THE AUDIT OF THE
FORMER GARRARD COUNTY
SHERIFF**

**For The Year Ended
December 31, 2014**



**ADAM H. EDELEN
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EXECUTIVE SUMMARY

**AUDIT EXAMINATION OF THE
FORMER GARRARD COUNTY SHERIFF**

**For The Year Ended
December 31, 2014**

The Auditor of Public Accounts has completed the former Garrard County Sheriff's audit for the year ended December 31, 2014. Based upon the audit work performed, the financial statement presents fairly, in all material respects, the receipts, disbursements, and excess fees in conformity with the regulatory basis of accounting.

Financial Condition:

Excess fees decreased by \$29,663 from the prior year, resulting in excess fees of \$5,733 as of December 31, 2014. Receipts decreased by \$21,231 from the prior year and disbursements increased by \$8,432.

Report Comment:

2014-001 Federal Forfeiture Funds Should Not Be Transferred To The Fee Account

Deposits:

The former Sheriff's deposits were insured and collateralized by bank securities or bonds.

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ADAM H. EDELEN
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The Honorable John Wilson, Garrard County Judge/Executive
The Honorable Tim Davis, Garrard County Sheriff
The Honorable Ronald Wardrip, Former Garrard County Sheriff
Members of the Garrard County Fiscal Court

Independent Auditor's Report

Report on the Financial Statement

We have audited the accompanying statement of receipts, disbursements, and excess fees - regulatory basis of the former County Sheriff of Garrard County, Kentucky, for the year ended December 31, 2014, and the related notes to the financial statement.

Management's Responsibility for the Financial Statement

Management is responsible for the preparation and fair presentation of the financial statement in accordance with accounting practices prescribed or permitted by the laws of Kentucky to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting as described in Note 1. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statement that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial statement based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statement. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statement, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statement in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statement. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.



The Honorable John Wilson, Garrard County Judge/Executive
The Honorable Tim Davis, Garrard County Sheriff
The Honorable Ronald Wardrip, Former Garrard County Sheriff
Members of the Garrard County Fiscal Court

Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles

As described in Note 1 of the financial statement, the financial statement is prepared by the County Sheriff on the basis of the accounting practices prescribed or permitted by the laws of Kentucky to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

The effects on the financial statement of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material.

Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles paragraph, the financial statement referred to above does not present fairly, in accordance with accounting principles generally accepted in the United States of America, the financial position of each fund of the former County Sheriff, as of December 31, 2014, or changes in financial position or cash flows thereof for the year then ended.

Opinion on Regulatory Basis of Accounting

In our opinion, the financial statement referred to above presents fairly, in all material respects, the receipts, disbursements, and excess fees of the former County Sheriff for the year ended December 31, 2014, in accordance with the basis of accounting practices prescribed or permitted by the Commonwealth of Kentucky as described in Note 1.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated June 17, 2015 on our consideration of the former Garrard County Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the former Garrard County Sheriff's internal control over financial reporting or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control over financial reporting and compliance.

The Honorable John Wilson, Garrard County Judge/Executive
The Honorable Tim Davis, Garrard County Sheriff
The Honorable Ronald Wardrip, Former Garrard County Sheriff
Members of the Garrard County Fiscal Court

Other Reporting Required by Government Auditing Standards (Continued)

Based on the results of our audit, we have presented the accompanying comment and recommendation, included herein, which discusses the following report comment:

2014-001 Federal Forfeiture Funds Should Not Be Transferred To The Fee Account

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Adam H. Edelen', with a stylized flourish at the end.

Adam H. Edelen
Auditor of Public Accounts

June 17, 2015

GARRARD COUNTY
RONALD WARDRIP, FORMER SHERIFF
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2014

Receipts

Federal Grants		\$	1,963
State Grants			25,000
State - Kentucky Law Enforcement Foundation Program Fund (KLEFPF)			25,992
State Fees For Services:			
Finance and Administration Cabinet	\$	79,424	
Sheriff Security Service		<u>5,155</u>	84,579
Circuit Court Clerk:			
Fines and Fees Collected			1,224
Fiscal Court			105,554
County Clerk - Delinquent Taxes			24,150
Commission On Taxes Collected			287,901
Other Fees On Taxes Collected			30,368
Fees Collected For Services:			
Auto Inspections		2,210	
Serving Papers		32,440	
Carrying Concealed Deadly Weapon Permits		<u>7,455</u>	42,105
Other:			
School Security		33,600	
Hold Harmless		4,729	
Miscellaneous		<u>4,512</u>	42,841
Borrowed Money:			
State Advancement			<u>165,200</u>
Total Receipts			836,877

The accompanying notes are an integral part of this financial statement.

GARRARD COUNTY
RONALD WARDRIP, FORMER SHERIFF
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES - REGULATORY BASIS
For The Year Ended December 31, 2014
(Continued)

Disbursements

Operating Disbursements:

Personnel Services-

Deputies' Salaries	\$ 278,880
Court Security Gross Salaries	102,597
Other Salaries	30,000
KLEFPF Salaries	25,992
Overtime Gross Salaries	1,778

Employee Benefits-

Employer's Share Social Security	37,976
Employer Paid Health Insurance	20,600

Contracted Services-

Vehicle Maintenance and Repairs	11,644
Court Security Officer Expense	2,083

Materials and Supplies-

Office Materials and Supplies	4,182
Uniforms	12,542

Auto Expense-

Gasoline	13,637
Maintenance and Repairs	336
Mileage	1,208

Other Charges-

Conventions and Travel	1,464
Computer Services and Equipment	5,553
Tax Expense	7,611
K-9	2,075
Dues	184
Filing Fees	6,745
Unemployment	4,438
Miscellaneous	4,082

\$ 575,607

Debt Service:

State Advancement	165,200	
Interest	4,296	169,496

Total Disbursements \$ 745,103

The accompanying notes are an integral part of this financial statement.

GARRARD COUNTY
RONALD WARDRIP, FORMER SHERIFF
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES - REGULATORY BASIS
For The Year Ended December 31, 2014
(Continued)

Net Receipts		\$	91,774
Less: Statutory Maximum			<u>82,131</u>
Excess Fees			9,643
Less: Training Incentive Benefit			<u>3,910</u>
Excess Fees Due County for 2014			5,733
Payment to Fiscal Court - April 15, 2015	\$	5,182	
Additional Excess Fees Paid (See Note 9)		<u>551</u>	<u>5,733</u>
Balance Due Fiscal Court at Completion of Audit			<u><u>\$ 0</u></u>

The accompanying notes are an integral part of this financial statement.

GARRARD COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 2014

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

KRS 64.820 directs the fiscal court to collect any amount, including excess fees, due from the Sheriff as determined by the audit. KRS 134.192 requires the Sheriff to settle excess fees with the fiscal court at the time he files his final settlement with the fiscal court.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a special purpose framework. Under this regulatory basis of accounting receipts and disbursements are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive) at December 31 that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2014 services
- Reimbursements for 2014 activities
- Tax commissions due from December tax collections
- Payments due other governmental entities for payroll
- Payments due vendors for goods or services provided in 2014

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

GARRARD COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2014
(Continued)

Note 2. Employee Retirement System

The county official and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a cost sharing, multiple employer defined benefit pension plan, which covers all eligible full-time employees and provides for retirement, disability and death benefits to plan members. Benefit contributions and provisions are established by statute.

Nonhazardous covered employees are required to contribute 5 percent of their salary to the plan. Nonhazardous covered employees who begin participation on or after September 1, 2008 are required to contribute 6 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 18.89 percent for the first six months and 17.67 percent for the last six months.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65. Nonhazardous employees who begin participation on or after September 1, 2008 must meet the rule of 87 (members age plus years of service credit must equal 87, and the member must be a minimum of 57 years of age) or the member is age 65, with a minimum of 60 months service credit.

CERS also provides post retirement health care coverage as follows:

For members participating prior to July 1, 2003, years of service and respective percentages of the maximum contribution are as follows:

Years of Service	% paid by Insurance Fund	% Paid by Member through Payroll Deduction
20 or more	100%	0%
15-19	75%	25%
10-14	50%	50%
4-9	25%	75%
Less than 4	0%	100%

As a result of House Bill 290 (2004 General Assembly), medical insurance benefits are calculated differently for members who began participation on or after July 1, 2003. Once members reach a minimum vesting period of ten years, non-hazardous employees whose participation began on or after July 1, 2003, earn ten dollars per month for insurance benefits at retirement for every year of earned service without regard to a maximum dollar amount.

Historical trend information showing the CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report. This report may be obtained by writing the Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, KY 40601-6124, or by telephone at (502) 564-4646.

GARRARD COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2014
(Continued)

Note 3. Deposits

The former Garrard County Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution.

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the Sheriff's deposits may not be returned. The former Garrard County Sheriff did not have a deposit policy for custodial credit risk but rather followed the requirements of KRS 41.240(4). As of December 31, 2014, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

Note 4. Note Payable

The office of the Sheriff is liable for an unsecured or secured note payable to First Southern National Bank in the amount of \$101,123. Purpose of the note was to purchase three police cruisers. The note matures on July 1, 2015 and the interest rate is 4.20 percent. The office of the Sheriff was in compliance with the terms of the agreement as of December 31, 2014.

Note 5. Forfeiture Accounts

Under terms mandated by the United States Department of Justice and the Commonwealth of Kentucky, the Garrard County Sheriff's office receives proceeds from the confiscation, surrender, or sale of real and personal property involved in drug related convictions. These funds are used exclusively for law enforcement disbursements against drug related activities and are not included in excess fees.

A. State Forfeiture Account

The balance in the account as of January 1, 2014 was \$36,200. During 2014, receipts were \$12,323 and there were no disbursements. The balance in the account as December 31, 2014 was \$48,523.

B. Federal Forfeiture Account

The balance in the account as of January 1, 2014 was \$40,359. During 2014, receipts were \$3,588 and disbursements were \$11,331. The balance in the account as December 31, 2014 was \$32,616.

Note 6. Garrard County DARE Program Account

The Garrard County Sheriff's office maintains the Garrard County DARE Program Account. The balance in the account as of January 1, 2014 was \$342. During 2014, receipts were \$1,000 and disbursements were \$1,319. The balance in the account as of December 31, 2014 was \$23.

GARRARD COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2014
(Continued)

Note 7. Donation Account

The Garrard County Sheriff's office maintains an account for the receipt of donations. These funds may be used for the operation of the Sheriff's office as established by KRS 61.310. The balance in this account on January 1, 2014 was \$312. During 2014, there were no receipts and disbursements of \$25. The balance in the account as of December 31, 2014 was \$287.

Note 8. Federal Highway Safety Grant

The former Garrard County Sheriff's office was awarded a Highway Safety Grant for targeted enforcement, saturation patrols and/or traffic safety checkpoints in partnership with the Kentucky Transportation Cabinet Office of Highway Safety. This is a reimbursement grant. The former Sheriff's office received \$1,963 in calendar year 2014.

Note 9. Additional Excess Fees Paid

A state payment for Court Security Services (House Bill 452) that was intended for the former Garrard County Sheriff's office was delivered to and deposited by the Garrard County Fiscal Court. This payment will be considered additional excess fees paid since the former Sheriff has already turned over all excess fees and closed out the 2014 Fee Account.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



ADAM H. EDELEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable John Wilson, Garrard County Judge/Executive
The Honorable Tim Davis, Garrard County Sheriff
The Honorable Ronald Wardrip, Former Garrard County Sheriff
Members of the Garrard County Fiscal Court

**Report On Internal Control Over Financial Reporting And
On Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards**

Independent Auditor's Report

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, the statement of receipts, disbursements, and excess fees - regulatory basis of the former Garrard County Sheriff for the year ended December 31, 2014, and the related notes to the financial statement and have issued our report thereon dated June 17, 2015. The former County Sheriff's financial statement is prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a special purpose framework.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statement, we considered the former Garrard County Sheriff's internal control over financial reporting to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the former Garrard County Sheriff's internal control. Accordingly, we do not express an opinion on the effectiveness of the former Garrard County Sheriff's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statement will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.



Report On Internal Control Over Financial Reporting And
On Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the former Garrard County Sheriff's financial statement is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance or other matter that is required to be reported under Government Auditing Standards and which is described in the accompanying comment and recommendation as item 2014-001.


Former County Sheriff's Response to Finding

The former Garrard County Sheriff's response to the finding identified in our audit is included in the accompanying comment and recommendation. The former Garrard County Sheriff's response was not subjected to the auditing procedures applied in the audit of the financial statement and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Respectfully submitted,



Adam H. Edelen
Auditor of Public Accounts

June 17, 2015

COMMENT AND RECOMMENDATION

GARRARD COUNTY
RONALD WARDRIP, FORMER SHERIFF
COMMENT AND RECOMMENDATION

For The Year Ended December 31, 2014

STATE LAWS AND REGULATIONS:

2014-001 Federal Forfeiture Funds Should Not Be Transferred To The Fee Account

Per our review of bank statements, \$7,300 of federal forfeiture funds was deposited into the fee account during October 2014. These funds were then transferred back in February 2015. Per KRS 218A.420(4)(a) forfeited funds must be used by the sheriff's office for direct law enforcement purposes. The phrase "direct law enforcement purpose" is defined, at 500 KAR 9:010(6), to mean "any activity of a [county sheriff] . . . which *materially facilitates enforcement of the laws of the Commonwealth of Kentucky.*" Once these funds are transferred to the fee account, they lose their identity; therefore, it is not possible to determine if they were spent for the intended purposes. Since funds were transferred to the fee account and expended from the fee account, they should not have been reimbursed. Forfeiture funds are one time monies and once spent should not be reimbursed. We recommend that forfeiture funds not be transferred to the fee account, disbursements from the forfeiture account be spent directly from the forfeiture account, and once spent not reimbursed.

Former Sheriff's Response: Was transferred for payroll purposes and back.

